IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

OFFICE OF THE CLERK

UNITED STATES OF AMERICA,
PLAINTIFF

VS

DEFENDANT*S MOTION TO REDUCE SENTENCE UNDER AMENDMENT 782

8:10 CR 248

DIABLO WILLIAMS.

DEFENDANT

Defendant Diablo Williams, acting Prose, respectfully moves this court pursuant to 18 U.S.C. 3582 (c) for an order reducing his term of imprisonment due to the impact of the November 1, 2014 retroactive 782 Amendment to the sentencing guideline

concerning drug offenses. In support of this motion, the defendant states:

- 1) Defendant has been convicted of a drug charge involving crack cocaine. After an intitial sentencing reduction pursuant to 28 U.S.C. 994 (u), Williams is now serving a 210 month sentence base upon the Court's finding that he has a base offense level of 24, a criminal history category of VI and an applicable range of 210 to 262 months. This applicable range is applyed from defendant's status as a career offender, which enhanced the level 24 to a level 32.
- 2) Based upon the findings of the court, under the amended guidelines and retroactive 2 point reduction from the guideline range, the base offense level is now 30, resulting in an applicable range of 168 to 210 months.

Wherefore, the Defendant respectfully submits that the Court should enter a corrected judgement of 168 months imprisonment. With respect to this corrected judgement the defendant submits his rehabilitation record and ask the court to consider his efforts and achievements when determining his corrected sentence.

WILLIAMS POST--SENTENCING REHABILITATION EFFORTS

The Petitioner Diablo Williams entered Federal Custody in March of 2011. For the last four years he has been housed at U.S.P. Pollock in Pollock, La

During Williams four years at Pollock Penitentiary he has been working diligent in trying to better his life and his environment. In the pursuit of changing his habits and thinking he has successfully completed classes such as: Drug Education. Rational Thinking, Communications, Violence Prevention, Life Style Balance, Overcoming Criminal Lifestyle, and Challenge Treatment Phase I II & III. see exhibit A

To help develop his job skills and vocational training he has obrained his General Education Diploma, as well as completed courses such as: Microsoft Key-Boarding, INtroduction to Forklifting, Basic Commercial Drivers Licencse, and Small-Business Management. Along with these skills and training he participated in an Investment Workshop obtaining certificates for: Money Matters Financial Basics, Basic Banking Needs, and Investing Principals. See exhibit B

As one of the Outliers in his peer group he participated in a break-through treatment program at U.S.P. Pollock. This newly formed program was implemented as a "Modified Therapeautic Community". It is intended to help inmates be re-integrated back into society through the elimination of drug abuse, the management of mental illness, and through reduction of criminal behavior.

Williams successfully completed this 500 hour treatment program, called the "Challenge Treatment Program" on February 19, 2015. Not only did be complete the program but he did so with such bonors as "The Most Consistent Challenge Participant See exhibit 3

In all Diablo Williams has consistently taken the necessary steps to change his life for the better. Throughout his four years at Pollock Penitentary he has not recieved an incedent report nor has he been envolved in the gang or violent culture that plagues the institution. In fact Mr. Williams continues to pursue the programs and courses that will make a positive impact on his future and his childrens future. With Mr. Williams rehabilitaiton efforts in mind, he respectfully request to recievce a modified sentence consistent with the two point reduction. Such a sentence represents 168 months imprisonment.

Respectfully submitted

Diablo Williams #23617-047

U.S.P. Pollock

P.O. Box 2099

Pollock, La 71467

Bosho William

Honorable Judge Smithcamp,

You honor, I send this letter concerning the motion I have recently submitted in hopes to aid you in reaching your decision. Before you determine my fate, I would like to share what I have learned through this unfortunate experience of my own doing. As hard as the lesson has been I must admit it was well worth it, because without the harsh correction of the court I don't know if I ever would have been able to recognize the error in my ways. I don't know if I would have been able to take an honest look at myself, and truly asses the damaging consequences of my behavior; known if I would have ever been able to admit to the harm I've caused others. In fact, if I would have continued to live the same lifestyle I had been living, I don't know if I would be alive now. Many of the men surrounding me will not understand what I'm about to say, but whether they agree or not is of no consequence to me, so I would like to express my thanks. You have been an ironic blessing in disguise.

While in prison I've been on a strict program of rehabilitation. I've maintained employment, further my education, participated in numerous programs, upheld the image of a model inmate, and been a positive example for others; something I've never been the majority of my life. I'm proud of what I've accomplished and my change is not to impress the courts or anyone else. My change is to prove to myself that I can be of more value to society than I've been in the past, and challenge myself to be better than a negative statistic, in and out of prison.

I look back on my life, and I'm ashamed of so many of my actions, but instead of wallowing in self-pity, I used my past infractions as motivation to be a better man; someone my children can look up to as a positive role model.

Your Honor, I ask you to consider granting my motion, not just because of a recent change in law, but because a repentant man causes the deterrent factor of prison to be less necessary. There is no longer a need to protect society from me. While on pretrial release, I failed to make a change in my behavior and I paid for that failure, but during my incarceration I have demonstrated that change. I didn't understand the opportunity to show the court I was choosing a more productive lifestyle, but as fate would have it that opportunity is here. I'm asking you to consider these things and let my actions be the determining factor. Thank you for your time.

Very truly,

Diablo William #23617-047 USP-Pollock P.O. Box 2099 Pollock, LA 71467

RECEIVED

APR 2 3 2015

U.S. DISTRICT COURT

TRULINCS 24647171 - SALTERS, RICHARD DEMOND II - Unit: POL-A-A

FROM: Stell Publications, Crystall

TO: 24647171

SUBJECT: WARD CASE / Career Criminal Case

DATE: 04/13/2015 04:06:10 PM

Case: No. 14-30513

IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

STATEMENT OF THE CASE

In 2013, a grand jury charged Gregory M. Ward in a superseding indictment with possessing with intent to distribute 100 grams or more of heroin, in violation of 21 U.S.C. § 84I(a)(I) and punishable under § 84I(b)(I)(B). ROA.136. The Government filed a bill of information pursuant to 21 U.S.C. § 851, alleging that Ward committed the heroin offense after his conviction for a prior felony drug offense had become final. ROA.193-94.

Ward pleaded guilty without a plea agreement to the sole count of the superseding indictment and the § 851 bill of information. ROA.189-90. In A signed factual basis, Ward admitted that his offense involved 927.I grams of heroin and that he had a prior conviction of a felony drug offense. ROA.189-90. At the sentencing hearing, the district court granted Ward a 2-level reduction under the forthcoming changes to the drug quidelines (Amendment 782) even though Ward was a career offender under Chapter 4 of the Guidelines. ROA.250-

53. The district court calculated an offense level of 32, a criminal history score of VI, and a guideline range of 210 to 262 months. ROA.253. The court sentenced Ward within that range to 236 months of imprisonment, to be followed by 8 years of supervised release. ROA.201-02. The court dismissed the remaining charges on the Government's motion. ROA.200; ROA.278. Ward appealed. ROA.205.

Offense level calculation (Identify base offense level and any adjustments)

30 Base Offense Level for drug offense involving V' ROA.314 at least 700 grams of heroin (PSR p. 9, 37) U.S.S.G. § 2DI.I (c)(5)

2+ Special Offense Characteristic because the defendant recklessly created a risk of death or serious bodily injury to another person while fleeing from police v ROA.314 (PSR p. 9, 39)

[32 Adjusted Offense Level] v ROA.314 U.S.S.G. § 3Cl.2

37 Career offender enhancement based on two prior v ROA.314 felony convictions of a controlled substance (PSR p. 9, 43) offense and based on a statutory maximum of life U.S.S.G. § 4B I.I(a); see U.S.S.G. § 4B I.2 Priors: V' ROA.316

Poss. w/ intent to distribute cocaine Poss. w/ intent to distribute cocaine base (PSR p. 11,49-50)

Adjustment for Acceptance of Responsibility v ROA.314
 U.S.S.G. § 3EI.I (a)-(b) (PSR p. 9, 44)

TRULINCS 24647171 - SALTERS, RICHARD DEMOND II - Unit: POL-A-A

[34	Total Offense Level per PSR] v ROA.314 (PSR p. 9, 45)	
	1	
- 2	Reduction based on forthcoming amendment Amendment 782	V' ROA 250-

32 Total Offense Level v ROA.253

Overall

Participant William received a total of 390 total Challenge face to face program hours.

Participant William is currently a Phase 3 Challenge Participant. This serves as his Sixth Progress Review for the Challenge Treatment Program. He began the program on October 15, 2013 and his Treatment plan and Psycho Social was completed on November 13, 2013 and November 7, 2013 respectfully. He was diagnosed on January 15, 2014 for Axis I: Alcohol Use Disorder: Severe, F10.20*b - Remission, Chronic, Initial Cannabis Use Disorder, Severe, F12.20*b - Remission, Chronic, Initial Axis II: Antisocial Personality Disorder, F60.2*b - Current, Chronic, Initial

Participant William is currently participating in the Life Style Balance journal. This journal will assist him in dealing with physical health, finding a meaning and purpose, community involvement, emotional health, and healthy relationships. He is a member of the Peer Support Operation service committee and a member of the all-star feedback program.

Participant William presents as interested and attentive during programming activities. He demonstrates both knowledge and application of programming concepts, making attempts to incorporate newly learned information into his personal life. He is receptive to feedback provided by both staff and peers and regularly seeks the input of others when he finds himself struggling with an issue. It appears that Mr. William is taking the program seriously and genuine in his efforts to find new ways to work through difficulties to yield beneficial results.

Participant William has good participation in programming activities across the board. He frequently shares feedback or personal struggles with his peers, seeking out support and constructive advice. He readily volunteers for task as they need to be completed and has shown signs of leadership despite being in the early stages of the program.

He has completed two ACE courses in Education American Government and Writing. He is currently enrolled in a Small Business course. He continues to make financial payments toward his court ordered obligation. He continues to receive satisfactory work reports from Education.

Substance Abuse

Participant William has maintained his sobriety while in the Challenge Program. This is his longest period of time without using illegal drugs. He understands this real first test of experiencing life choices and decisions without using drugs. He continues to identify his substance abuse triggers and has developed a good support system and coping skills. He is able to use self-talk and camera checks to avoid relapse.

Criminal Lifestyle

Participant William continues to identify his past criminal and thinking errors. He discussed these issues during program hours especially in process groups and morning meeting and he was receptive to community feedback. He continues to explore his past way of life and identify his blind spots/triggers that caused his irrational thinking. He continues to process this information and is determined to change his past thoughts/ beliefs concerning his old way of life. He continues to utilize the five rules of rational thinking to keep him on the right track. He performs attitude checks and camera checks on a daily basis.

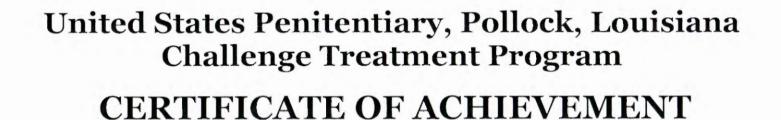
He participates in the following Challenge Programs; AA/NA, Feedback-frenzy, community game tournaments, and assisting other members of this community.

Other:

Participant William uses positive spiritual statements in the morning to uplift himself. This helps him to stay focus on his treatment and long term goals. He relies on a higher power to get him through the day. He continues to address these issues during program meetings. He uses self-talk and 5 rules of rational thinking to keep focus on his long and short term goals. He gives and receives feedback from the community appropriately. He has managed to identify his triggers and improve his coping skills in dealing with his emotions.

TORZULA C.T.S.





This certifies that

William, Diablo

has successfully completed the Transition journal in the Challenge Treatment Program. This certificate of completion is hereby issued this 30th day of January, 2015.

Mr. Orzech,

Treatment Specialist

United States Penitentiary, Pollock, Louisiana **Challenge Treatment Program** CERTIFICATE OF ACHIEVEMENT

DIABLO WILLIAM

has successfully completed the Reviewing My Drug Use journal in the Challenge Treatment Program. This certificate of completion is hereby issued this 14th day of February, 2014.

Dr. Hess, Program Coordinator

Dr. Mancuso, Program Psychologist

Mrs. Black, Tx Specialist

Mr. Courville, Tx Specialist

mrs grastinas Mrs. Hastings, Tx Specialist

Orzech, Tx Specialist

Certificate of Achievement

United States Penitentiary, Pollock, Louisiana Challenge Treatment Program

This certifies that

Diablo William

has successfully completed the Rational Thinking journal in the Challenge Treatment Program. This certificate of completion is hereby issued this 17th day of January, 2014.

Dr. Hess,

Program Coordinator

Dr. Mancuso

Program Psychologist

your Harrings

Mrs. Hastings,

Treatment Specialist

Mr. Orzech,

Treatment Specialist

Mr. Courville,

Treatment Specialist

Mrs. Black

Treatment Specialist

United States Penitentiary, Pollock, Louisiana Challenge Treatment Program

CERTIFICATE OF ACHIEVEMENT

This certifies that

William, Diablo

has successfully completed the PHASE TWO of the Challenge Treatment Program. This certificate of completion is hereby issued this 20th day of August, 2014.

Dr. Hess, Challenge Coordinator

Mrs. Black, Treatment Specialist

Mr. Courville, Treatment Specialist

Dr. Mancuso, Challenge Psychologist

Mrs Hastings Treatment

Mrs., Hastings, Treatment Specialist

Mr. Orzegh, Treatment Specialist

United States Penitentiary, Pollock, Louisiana Challenge Treatment Program

CERTIFICATE OF ACHIEVEMENT

This certifies that

William, Diablo

has successfully completed the Violence Prevention journal in the Challenge Treatment Program. This certificate of completion is hereby issued this 8th day of August, 2014.

Mr. Orzech,

Treatment Specialist

Certificate of Achievement

Challenge Treatment Program USP Pollock ,LA.

This certifies that

DIABLO WILLIAM

has successfully completed the PHASE I of the Challenge Treatment Program. This certificate of completion is hereby issued this 20th day of March, 2014.

Dr. Hess, Program Coordinator

Dr. Mancuso, Program Psychologis

Mrs. Black, Tx Specialist

Mr. Courville, Tx Specialist

Mrs. Hastings, Tx Specialist

Mr. Orzech, Tx Specialist



Certificate of Completion

Diablo William

Reg#: 23617-047

has successfully completed

Freedom from Drugs

Drug Abuse Education

November 6, 2013

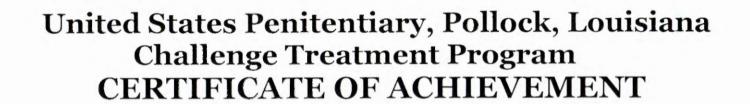
C. Gaspard, MS

Drag Treatment Specialist

S. HUN, PSY. D.

L. Hess, PsyD

Drag Abuse Program Coordinator



DIABLO WILLIAM

has successfully completed the Lifestyle Balance journal in the Challenge Treatment Program. This certificate of completion is hereby issued this 31st day of October, 2014.

Mr. Courville, Tx Specialist

Certificate of Achievement

United States Penitentiary, Pollock, Louisiana **Challenge Treatment Program** This certifies that

William, Diablo

has successfully completed the requirements of PHASE III of the Challenge Treatment Program.

> This certificate of completion is hereby issued this 30th day of January, 2015.

Program Coordinator

Program Psychologist

Treatment Specialist

Mrs. Hastings,

Treatment Specialist

Treatment Specialist

EXHIBIT B

CERTIFICATE OF COMPLETION

IS HEREBY PRESENTED TO

Diablo Williams

FUNDS LOAN MUTUAL ACCOUNT CREDIT CARD MORTGAGE INSURANCE BANKING PERSONALBUSINESS MANAGEMENT MONEY SERVICE FINANCIAL

To certify that he has successfully completed the

INVESTING

RELEASE PREPARATION PROGRAM #3

Given this 15th day of May, 2014 USP Education Department, Pollock, LA

J. Jackson,

RPP EDUC Coordinator

L. Gartner,

Acting Supervisor of Education

CERTIFICATE OF COMPLETION

IS HEREBY PRESENTED TO



FUNDS LOAN MUTUAL ACCOUNTCREDIT CARD MORTGAGE INSURANCE BANKING PERSONALBUSINESS MANAGEMENT MONEY SERVICE FINANCIAL

To certify that he has successfully completed the

MONEY MATTERS

RELEASE PREPARATION PROGRAM #3

Given this 24th day of April, 2014 USP Education Department, Pollock, LA

J. Jackson,

RPP EDUC Coordinator

L. Gartner,

Acting Supervisor of Education

CERTIFICATE OF COMPLETION

IS HEREBY PRESENTED TO



FUNDS LOAN MUTUAL ACCOUNT CREDIT CARD MORTGAGE INSURANCE BANKING PERSONAL BUSINESS MANAGEMENT MONEY SERVICE FINANCIAL

To certify that he has successfully completed the

BANKING

RELEASE PREPARATION PROGRAM #3

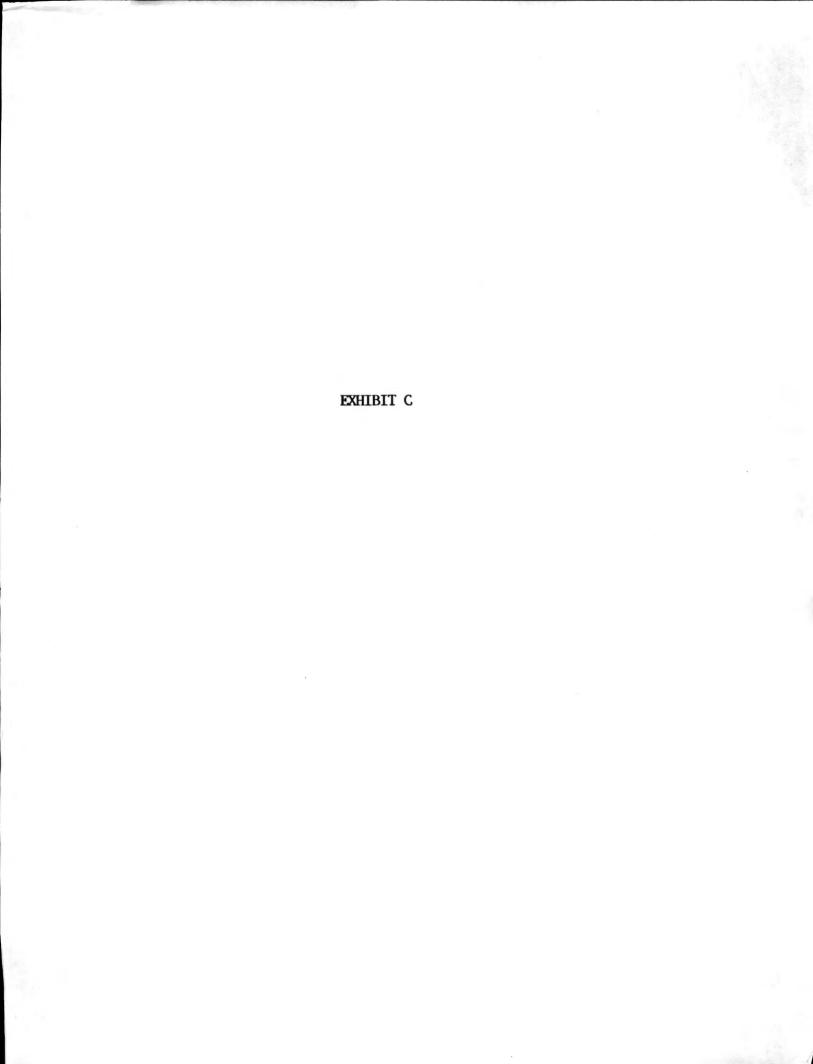
Given this 03th day of April, 2014 USP Education Department, Pollock, LA

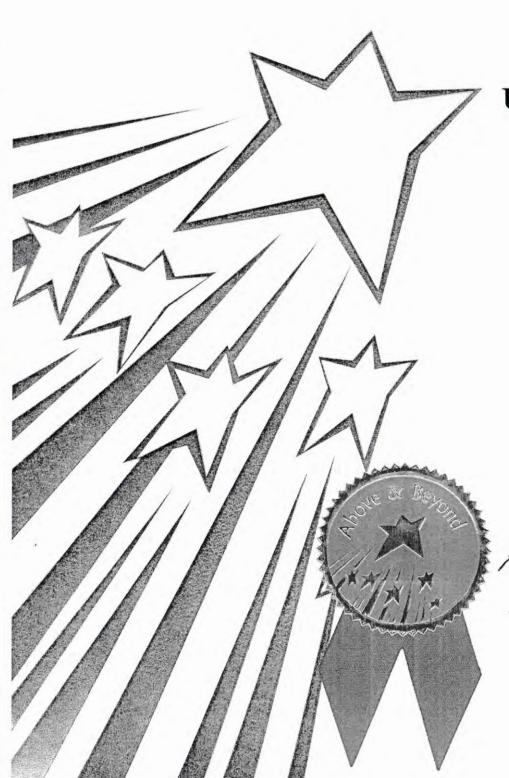
J. Jackson,

RPP EDUC Coordinator

L. Gartner,

Acting Supervisor of Education





United States Penitentiary Pollock, Louisiana

CERTIFICATE OF COMPLETION

This certifies that

Diablo William

has successfully completed the requirements of the Challenge Treatment Program.

This certificate of completion is hereby issued this 19th day of February, 2015.

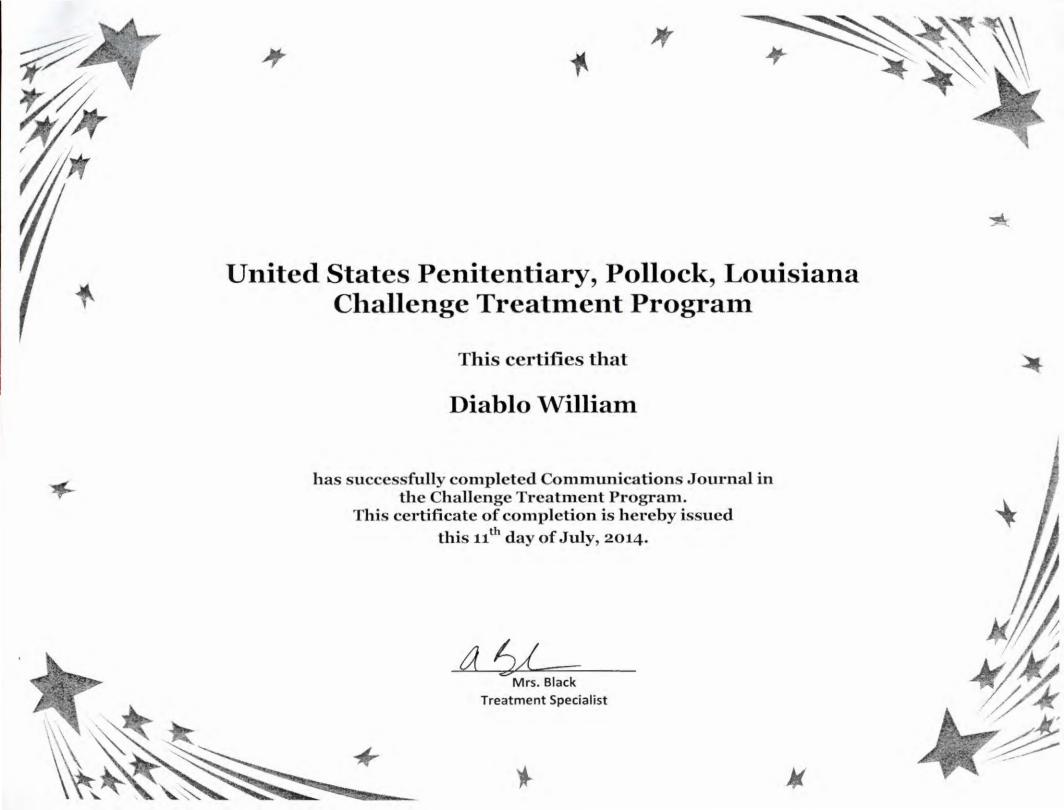
Dr. Hess, Program Coordinator

111/4

Mi Courville, la Specialist

-15

mrs. Stastings



United States Penitentiary Pollock, Louisiana

Challenge Treatment Program Treatment Plan

Name: Diablo William Register Number: 23617-047

1. Problem Statement: Substance Use

I have verbalized a struggle with abusing alcohol and marijuana. This has directly contributed to negative consequences in my life. I have expressed a desire to try to stop using chemical substances and need the tools to be able to accomplish this goal.

Goal:

I will accept my chemical dependence. I will improve my quality of life by maintaining an ongoing abstinence from all mood-altering chemicals. I will acquire the necessary skills to maintain long-term sobriety from all mood-altering substances and live a life free of chemicals.

Treatment Activities:

A. I will identify and verbalize the negative consequences of drug and alcohol use. This activity will be monitored and completed by the completion of our substance abuse journals.

B. I will identify the ways being sober will positively impact my life. This activity will be on going during small process groups.

C. I will write a good-bye letter to my drug(s) of choice, telling it (them) why it (they) must go. I will share this letter with my small process group. This will be completed by the conclusion of phase 2.

D. I will verbalize life changes that need to occur in order to maintain long-term sobriety. This activity will be completed by ongoing and discussed during process groups.

2. Problem Statement: Coping Skills

I have a history of using substances to try to "escape" and avoid having to deal with problems or struggles I encounter. I have also verbalized a desire to learn how to better deal with the realities around me.

Goal:

I will develop the ability to recognize, accept, and cope with difficult emotions. I will develop healthy cognitive patterns and beliefs about myself and my surroundings to

alleviate struggles I have with managing these emotions.

Treatment Activities:

A. I will replace negative and self-defeating self-talk with the verbalization of realistic and positive cognitive message. This activity will be ongoing throughout the Challenge Program.

B. I will make positive statements regarding self and ability to cope with stresses of life. This activity will be ongoing throughout the Challenge Program.

C. I will verbalize hopeful and positive statements regarding the future. This activity will be ongoing throughout the challenge program.

D. I will verbalize 10 statements of self-affirmation, identifying my value as a person. This activity will ongoing during process groups.

3. Problem Statement: Maladaptive Thinking

I have verbalized a desire to learn and practice a more rational approach to perceiving situations pertaining to my criminal lifestyle.

Goal:

I will honestly evaluate my thought process to identify occurrences of maladaptive thinking. I will learn to challenge irrational, negative thoughts in order to ensure rational responses to situations. I will reduce reckless and shortsighted behavior.

Treatment Activities:

A. Utilizing both the 'Rational Thinking' journal and the 'Criminal Thinking' journal, I will identify the thinking errors I have established a pattern of utilizing. I will process this information with my peers in Phase Group or Process Group, discussing the negative consequences I have experienced due to using thinking errors in my thought process. This activity will be ongoing throughout the Challenge Program.

B. I will demonstrate the ability to rationalize the benefits and consequences of an action before making a decision, rather than acting on impulse and immediate thoughts. This activity will be on going throughout the Challenge Program.

C. I will evaluate my core beliefs for thinking errors, determining their impact on my daily actions. I will replace extreme, irrational beliefs with more balanced, tolerant beliefs. This activity will be on going.

D. I will make a list of behaviors and attitudes that must be modified in order to attain a more rational thought process. I will process this with my small group.

Participant Signature	Date	
Primary Treatment Specialist Signature	Date	
Challenge Program Coordinator Signature	Date	





This award is presented to

Diablo William

For Inspiring Others and Leading By Example

November 28, 2014



This

CERTIFICATE of COMPLETION

Is Presented to

DIABLO S WILLIAM

for the Successful Completion of BUNDING ON GODS FOUNDATION

A NEW Community

"A bruised reed he will not break,
A smoldering wick he will not snuff out;
In faithfulness he will bring forth justice."
—Isaiah 42:3

Port Color 2:16-15

and BreakPoint are ministries of PFM





This Certificate Is Presented To

Diablo William

in recognition of being

The Most Consistent Challenge Participant

CERTIFICATE OF SERVICE

U.S.C. § 1746, that I have served a true and correct co	opy of the foregoing document(s):
which, pursuant to <u>Houston v. Lack</u> , 487 U.S. 266 deemed filed at the time it was delivered to prison service upon parties to litigation and/or their attorney. I have placed the material referenced above in postage (stamps) affixed and I addressed it to:	authorities for forwarding to the court and (s) of record.
and deposited said envelope via hand delivered to Penitentiary Pollock, L.A. on this day of 20	the Mail Room Staff at the United States
	Respectfully submitted, Reg. No. U.S. Fenitentiary Pollock

P.O. Box 2099 Pollock, LA 71467

POLLB * INMATE EDUCATION DATA * 04-16-2015 PAGE 001 OF 001 * TRANSCRIPT * 10:37:15

FUNC: PRT

FORMAT....: TRANSCRIPT RSP OF POT

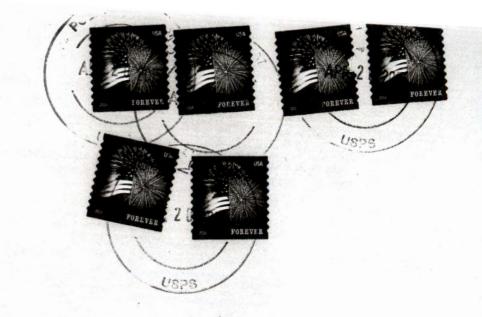
RSP OF: POL-POLLOCK USP

----- EDUCATION INFORMATION -----

FACL ASSIGNMENT DESCRIPTION START DATE/TIME STOP DATE/TIME POL ESL HAS ENGLISH PROFICIENT 08-21-2012 1329 CURRENT

POL GED HAS COMPLETED GED OR HS DIPLOMA 08-21-2012 1454 CURRENT

----- EDUCATION COURSES -----SUB-FACL DESCRIPTION START DATE STOP DATE EVNT AC LV HRS POL CODE INVESTING PRINCIPALS 05-07-2014 05-21-2014 P C P 12 POL CODE MONEY MATTERS; FINANCIAL BAS 04-09-2014 05-07-2014 P C P 12 POL CODE MOVIE GUIDE WRITING @ 630PM 12-30-2013 04-11-2014 P C P 14 POL CODE BASIC BANKING NEEDS 02-14-2014 04-03-2014 P C P 12 POL CODE ACE CIVIL WAR 01-07-2014 04-13-2014 P C P 11 POL CODE KEYBOARDING 12.00
POL CODE DRUG EDUCATION
FOR FORKLIFT CLASS POL CODE KEYBOARDING 12:30-3:30 PM 09-03-2013 12-13-2013 P W I 85 10-15-2013 11-12-2013 P C P 13 06-17-2013 10-19-2013 P C P 12 POL CODE COMM DR LIC BASICS 6:30-8:30 06-17-2013 10-19-2013 P C P 18 POL ACE CONV SPAN 630-800PM 02-23-2013 05-30-2013 P C P 24 POL INVESTING PRINCIPALS 02-24-2013 05-30-2013 P C P 12 POL INVESTING PRINCIPALS 02-24-2013 05-30-2013 P C P 12 POL 2 ACE SMALL BUSINESS CLASS 02-24-2013 05-30-2013 P C P 10 POL 6 PARENT CLASS FRI9-1030 AM 12-03-2012 03-18-2013 P C P 18 DIABLO WILLIAM 23617-6417 P.O. BOX 2099 USP Parack, LA 71467



JUDGE SMETHCAMP

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
ROMAN L. HRUSKA US. CONTHUUSE
111 S. 18TH PLAZA, SUSTE 1152
OMAHA, NE 68102-1322

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